



TOWN OF

# K E N S I N G T O N

## DECEMBER 2002 *JOURNAL*

### December 16<sup>th</sup> 7:30 p.m. Work Session

Consideration of adopting resolution for support of application for  
Main Street Maryland Program.

Consideration of resolution to support Program Open Space.

### Upcoming Agenda for January 27th Town Meeting

Public hearing on outsourcing trash pick up.

### Holiday gifts for the Town Crew

If you have a gift for the Town crew, please bring or send it to  
Town Hall by December 19<sup>th</sup>.

Holiday Gifts can not be accepted after December 19<sup>th</sup>.

**The Town Office will be closed on the following dates:  
December 25, December 26, and January 1**

**During the holidays, trash will be picked up on the regular  
schedule. Recycling will be picked up on Tuesday  
December 24 and Tuesday December 31.**

Contact us at 3710 Mitchell Street, Kensington, MD 20895

Phone: 301-949-2424; Fax: 301-949-4925;

E-mail: [mayor.council@tok.org](mailto:mayor.council@tok.org); Web Site: [www.tok.org](http://www.tok.org)

## Meeting Schedule

December 16, 7:30 p.m. Work Session

January 6, 7:00 p.m. Work Session

January 27, 7:30 p.m. Town Meeting

## Snow Policy

**In case of a winter storm, please park vehicles in driveways when possible or park on the even side of the street on even dates and the odd side of the street on odd dates. Also, please place trash curbside.**

**Remember to clear the walkway in front of your property within 24 hours after a storm. This is a Town Ordinance.**

## Recycling

BFI is now picking up all recycling. Please continue to separate your cans/bottles, mixed paper, and newspaper the same way.

## Parking Restrictions

The Town's Code Enforcement Officer will cite all parking violations.

Please remember that citations will also be issued for vehicles that are parked more than 12 inches from the curb and vehicles that are parked obstructing pedestrian right of ways.

There are new parking restrictions on Frederick Avenue and Hadley Place which are as follows: No parking on the east side of Frederick Avenue between Frederick Place and Kent Street; No parking on the east side of Hadley Place and permit parking on the west side of Hadley Place. As soon as the signs are installed citations will be issued for violations.

## e-Announcements

If you would like to receive brief e-mail updates regarding Town business please sign up for e-Announcements on the home page of the Town's website ([www.tok.org](http://www.tok.org))

## For Your Information

### **Maryland Department of Public Safety Sex Offender Registry Now Online**

See [www.dpscs.state.md.us](http://www.dpscs.state.md.us) (look for "NEW!" Icon)

### **PEPCO Reminds Customers to Ask for Identification**

All Pepco employees carry a plastic photo ID card with a Pepco logo and will readily show it to you on request. If possible, ask to see it before opening the door. When possible, Pepco and its contractors attempt to contact customers before arriving at a residence. Customers are asked to call Pepco at (202) 833-7500 or local police if they have suspicions about people claiming to work for Pepco.

## Building Permits

Addition at 3606 Farragut Avenue

Enclose existing screen porch at 3919 Baltimore Street

Replace landing and stairs from back door at 10721 Lexington Street

Remove portion/renovate existing house and detached garage at 10111 Frederick Avenue

Construct new residence and garage at 10109 Frederick Avenue

## Message from the Mayor's Desk

The Mayor met with David Chikvashvilli and Wajeda Rabb to begin meeting with AllFirst Bank and Kensington Station Joint Venture (next to the bank drive-in). This area is part of Phase III Revitalization of Howard Avenue. Phase III will also include trees behind the wall on Howard Avenue and small gate way signs at the following entrances to Town, Metropolitan Avenue at Kensington Parkway, Plyers Mill Road at the bridge over the creek and Summit Avenue at Knowles Avenue.

The Mayor held two Commercial Development Review Committee meetings where developers discussed a plan to redevelop the Sunoco Station site into a retail building. They will come back to the committee with more information and drawings in January 2003.

The Mayor and Council met with SHA District Engineer Charlie Watkins and several other officials from SHA to discuss the major traffic problems in our Town. This meeting was prompted by a letter the Mayor sent in July asking for relief of the traffic issues plaguing our Town. She also sent a letter to County Executive Doug Duncan asking for his support. The Mayor talked to Senator-elect Sharon Grosfeld on November 26 after the fatal accident on Connecticut Avenue at Baltimore Street. We have the full support of our newly elected Senator who will contact other officials in the State and County to help us find the relief we need to our traffic issues. The Town government believes with the help of State and County working as partners with the Town, improvements will be pursued and some relief methods will be instituted.

The Mayor as President of Maryland Municipal League has been a part of the MML Legislative Dinner presentations throughout the State. The League's annual legislative agenda is presented statewide to members and legislators at our legislative dinners, which are held in each of MML's nine Chapters. The Mayor attended four of these dinners around the State this month. One of MML's priorities this year is safety and security. Thus we are supporting the need for photo radar speeding cameras in the State. These cameras have proven that speeds are reduced and auto related injuries and fatalities are significantly reduced.

The Mayor is the new President of the Montgomery Municipal Cable Station (Channel 16). The Channel has been active in interviewing the candidates for elected office in the County and State. Our Station Manager Vinnie Walter recently interviewed County Executive Doug Duncan and Chief Charles Moose after the apprehension of the

suspected snipers. The interviews have aired several times on our Channel and been well received by the residents of Montgomery County.

Metropolitan Avenue has progressed over the last month. The project is on schedule and will be completed by early spring. The representatives of SHA and the contractors have worked well with business owners who have been affected by the construction.

The Mayor met this month with the Kensington Cabin Committee and she sent a letter to Maryland National Capital Park and Planning Commission Chairman Derick Berlage asking for help in finding funding to assist us. The Mayor also sent a letter to the Town of Chevy Chase View to ask them to join us in our quest to save the Cabin. Another meeting is planned soon.

The Mayor held an Armory Committee meeting last month. Another is planned for December. We are looking at the environmental and safety issues in the Town Hall/Community Center.

Kensington Arts Theater is quite an attribute to our Town. The reviews of their most recent play have been great. The Mayor attended opening night of “Side Show” and found it very entertaining. The group is talented, costumes and sets were bright and imaginative. Please watch for the next performance in the spring. With local talent of this caliber we can enjoy an evening of performing arts without leaving our Town.

The Mayor walked with the Council and some citizens twice this month to look at the narrow streets before a decision was made at the last Town meeting to restrict some streets to parking on only one side.

Kudos to Johnson Garden Center for the beautiful improved landscaping in front of the shopping center on Kensington Parkway. We also thank Mizell Lumber who have painted their property on Metropolitan Avenue. Both businesses have helped to improve the quality of life in our Town.

We wish Roger Lund well as he leaves Kensington to focus on his business in Pennsylvania. The Town will miss Aunt Betty’s General Store and Roger Lund.

## Council Member Carr’s Report

### **Traffic and Safety**

Although we have many traffic issues in Town to address in the upcoming months, my view is that speeding on Connecticut Avenue is our gravest problem. Sadly, but not surprisingly, two cars collided last week on Connecticut Avenue near Baltimore Street resulting in a fatality. The speeding problem developed over many years and is shaped by forces outside our control. The state and county have authority over most aspects of this major highway. However, through creative leadership and citizen participation, the Town can be an effective force in advocating for real improvements. Complex traffic problems are best addressed through a combination of **engineering, education and enforcement**.

## ENGINEERING

The Maryland State Highway Administration publishes an excellent reference manual called “When Main Street is a State Highway” containing many traffic calming solutions. I worked with the traffic advisory committee to review and summarize the document looking for solutions that might be applicable in our Town. I also visited and documented traffic calming solutions used successfully on state roads in nearby areas. I obtained formal and anecdotal accident history data including photos. Based on this research, I worked with committee members to draft and send a letter to SHA on November 7<sup>th</sup> regarding the speeding and safety issues on Connecticut Avenue. The Mayor and Council met with SHA representatives on November 18<sup>th</sup>. We were very encouraged at their willingness to consider engineering improvements to Connecticut Avenue and other areas in Town. Also, the Town has engaged the services of a traffic engineer to look at the Connecticut/Baltimore intersection as well as specific issues on a couple of local streets.

## EDUCATION

The Town participated in a regionwide safety event called “Safe Neighborhood Day” on October 30<sup>th</sup>. Many town citizens joined in this safety rally by displaying signs on Connecticut Ave and Lexington Ave. reminding drivers in a friendly way to “drive with care” and pedestrians to “walk with caution”. Thanks to the Mayor and Council for supporting this event and to the many town citizens who helped out. Thanks also to outgoing county council member Donnell Peterman, State Senator Sharon Grosfeld, mid-county service center assistant director Carol McKenzie, and the Town staff for their assistance. The next event will be held in June and hopefully we will make an even stronger showing. The Town will be publicizing in the journal the fines for various traffic offenses to increase awareness.

## ENFORCEMENT

The Mayor and Council have copied our County executive on letters regarding traffic problems. The result has been increased enforcement of speeding by county police in our Town. We will continue to lobby for greater enforcement and we will be hiring supplemental off-duty county police manpower to better cover the problem areas in town. Also the mayor and council actively participate with the Maryland Municipal League to make statewide improvements in enforcement. I commend Council Member Leanne Pfautz for her efforts with MML on pushing for the passage of statewide speed camera legislation.

### **Other Traffic activities**

- Traffic Committee - The Traffic Advisory Committee met on October 30<sup>th</sup> and on December 4<sup>th</sup>. The meetings are open and all residents are welcome to attend and/or provide input.
- My colleague, Council Member Cowan, who chaired traffic and safety issues last year and began discussions with traffic consultants, has graciously offered to draft a request for proposals for a Town-wide professional traffic study.
- I drafted a letter signed by the mayor and testified on Nov 21<sup>st</sup> before the Maryland Dept. of Transportation and the Montgomery county delegation to lobby the state for implementation of the traffic improvements envisioned in the 2000 Kensington Concept Plan and against widening of Connecticut Avenue.

- We had a successful first Town Walk on Nov 23<sup>rd</sup>. We toured a small section of town with participants aged from 6 months to 70-ish. We documented several pedestrian and traffic problems. The next Town Walk will be on Saturday, January 25<sup>th</sup>.

#### **Miscellaneous Activities**

- Worked with Council Member Scharman and the rest of the Council to create a “wish list” of Town web site improvements.
- Met with a representative of Pepco to educate myself on procedures, costs and standards related to municipal street lighting.

As always, please e-mail me or call me any time you have an idea, question or concern. phone: 946-4956. e-mail: [acarr@aol.com](mailto:acarr@aol.com)

### Council Member Scharman's Report

Trees - The Tree Board met on November 13 - see the meeting minutes elsewhere in the Town Journal. The fall planting should be completed soon. The grant application we submitted to the State was approved; we will receive funds covering about 2/3 of the costs of trees and planting from this matching program by documenting our in-kind services provided by the town staff, crew, and volunteers. I prepared a draft outline for a Comprehensive Tree Management Plan and have asked the Mayor and Council to consider defining this as a necessary and worthwhile document to develop. It would contain our tree inventory data, planting plans, maintenance program information, current and potential tree ordinance information, public outreach ideas, and funding needs.

Parks - I continue to meet and discuss the plans for St. Paul Park improvements with the Mayor, Mark Joel, and our engineer in the preparation of construction plans and bid specifications. I have been in contact with MNCPPC to discuss possibilities for restoring the Kensington Cabin to recreational use and I am working with the Mayor to seek funds. I provided my findings and some options to the Mayor and Council and attended a meeting of the Kensington Cabin Committee to present and discuss some of the options. I have prepared a draft outline for a Town Parks Management Plan and provided this to the Mayor and Council. This document would contain descriptive and legal information on our parks (for accounting purposes and that which is necessary to prepare grants), maintenance inspections and schedules, plans for future improvements, and usage regulations and guidelines.

Commercial Revitalization - I attended the second meeting of the Revitalization Steering Committee and two classes presented by the Downtown Institute; both classes provided valuable information, insight, and contacts for commercial district revitalization of historic downtown districts. The Promotions class emphasized methods for showcasing unique businesses and historic characteristics of old towns like ours. The other class on Organization provided information on how to develop a strong revitalization organization to guide economic development using principles from the Main Street Program. I attended a town tour with our regional representative from the State's Division of Neighborhood Revitalization, the Mayor, and the co-chair and several members of the Revitalization Steering Committee.

Town Website - I presented a summary of options for additions and changes to the website to Mayor and Council for their final comments. I continued coordination with Council Member Carr for the purpose of developing a document of options for the Town's website.

Student Service Learning (SSL) - I have had discussions with a SSL coordinator for Montgomery County Public Schools concerning the eligibility of certain volunteer opportunities for students to serve the Town and earn SSL hours.

Other - I attended two walking tours of the Town to review initial recommendations from the Mayor and DPW regarding parking restrictions.

## Adopted Ordinance

### **Use of the Public Rights of Way Ordinance Adopted on October 28, 2002 effective November 18, 2002**

At the October Town Meeting, the Council adopted an ordinance to include "use of the public right of way" in Chapter 3 of the Town Code. The ordinance will authorize the Town to require a permit and permit fee from any utility who excavates, constructs or performs any maintenance or other work in the Town right-of-way.

## Minutes of Tree Board Meeting

November 13, 2002

Board members present: Sabooh Hikim (State Forester), Louise Hamilton, Anne Elsbree, Barbara Scharman

The State grant application and award for street tree plantings was discussed. The draft outline for a tree management plan was reviewed. The need for oversight of possible damage to roots during street work and what guidelines are used was discussed. The Board is researching software options for managing the data from the tree inventory. The Tree Board has been asked to consider the possibility of a tree preservation ordinance. Tree ordinances from five municipalities in Maryland were discussed in terms of which trees are covered, how permits are issued by towns, and the criteria considered. Members indicated what information collection efforts they would pursue before the next meeting, including public outreach, tree software, and legal authority information on tree protection.

## Town Meeting

October 28, 2002

Mayor Raufaste called the Meeting to order at 7:33 p.m. with Council Members Carr, Cowan, Pfautz, and Scharman, and Clerk-Treasurer Engels present. The Pledge of Allegiance was recited. A Moment of Silence was observed.

Tracey Furman, Chairman of the Tree Lighting Committee presented the Committee's recommendation for this years holiday event. The recommendation was option four, "Light up the Town". The event would be held on December 6<sup>th</sup> and will include lighting

the tree at Town Hall with white lights, the arrival of Santa, lighting up Town Hall and smaller trees/bushes, entertainment and refreshments at Howard Avenue Park, and a poster contest for children. Residents will also be encouraged to light up their yards and houses that night.

Khalid Afzal, planner from MNCPPC, gave an overview on sector plans and overlay zoning. He stated that the Town's sector/master plan was done in 1978 and is scheduled to begin the process of updating in November, 2004. He explained that overlay zoning is a technique to designate an area as a special zone where traditional zoning does not accomplish the intended purpose. He stated that overlay zoning can be done in conjunction with a new sector plan. He suggested the Town address the issues that need to be accomplished and request that the planning board move up the date for the Town's sector plan to be updated. Other types of controls were suggested by residents for use in the interim such as a tree ordinance, larger set backs, and broadening the historic district.

The Mayor and Council visited the streets that are considered too narrow for sufficient access and proposed the following ideas to allow better access: Perry Street – enforce the no parking signs that already exist; Warner Street (west side of Connecticut Avenue) - no parking on the north side with parking allowed on the south side; Farragut Avenue – use permit parking on the north side and no parking on the south side; Hadley Place – no parking on the east side and permit parking on the west side; Frederick Avenue - enforce no parking signs that already exist; Washington Street (west side) paint a center line and increase permit parking signs near Connecticut Avenue; and Dupont Avenue – follow snow emergency parking.

In response to residents concerns, the Mayor and Council will revisit the streets and discuss further before a proposed hearing on November 18<sup>th</sup>.

The Mayor and Council presented monthly reports.

The Mayor informed residents that the Town received a sign award from the County for the kiosk.

### **Council Actions**

Council Member Pfautz moved to approve the Tree Lighting Committee's option four for the tree lighting event this year. Council Member Cowan seconded it and it passed unanimously with the Mayor concurring.

Council Member Pfautz moved to approve resolution 2002-11 adopting the public right of way ordinance requiring a permit and permit fees for work in the public right of way. Council Member Carr recused himself due to a conflict of interest. Council Member Scharman seconded it and it passed unanimously with the Mayor concurring.

Council Member Pfautz moved to approve the minutes from the September 30, 2002 Town Meeting and the October 7, 2002 Work Session. Council Member Cowan seconded it and it passed unanimously.

There being no further business, the meeting adjourned at 9:25 p.m.



## Work Session of Mayor & Council

November 4, 2002

The Work Session commenced at 7:05 p.m., Mayor Raufaste, Council Members Carr, Cowan, Pfautz and Scharman, Public Works Director Joel, Code Enforcement Officer Hamilton, and Clerk-Treasurer Engels were present and the following issues were addressed:

The Mayor and Council discussed a list of suggestions for providing more information including pictures and links on the Town web site. Council Member Carr will incorporate the discussed changes for Council review and then the Council will request a proposal from the Town's webmaster.

The Mayor and Council discussed and updated items on the project list. The cellular ordinance review and retaining wall on Farragut Avenue have already been addressed and were removed from the project list.

In response to the presentation at the last meeting from MNCPPC on overlay zoning, the Council will first look at the current permitted uses of zones in Town to identify specific changes that may be able to be accomplished in advance of a new sector plan.

Council Member Cowan will write an RFP for the traffic study which will be reviewed at the next work session.

The Mayor presented the plans for a third option from the engineer for the sidewalk on Kensington Parkway. The cost for a four vs. five foot sidewalk will be determined and a decision will be made at the November Town meeting.

The Mayor and Public Works Director suggested a one-year trial period of outsourcing trash before selling the trucks. This will be discussed further at the November Town meeting.

Council Member Carr stated that the traffic committee was going to have its first Town walk to identify pedestrian and traffic hazards on November 23rd.

The Code Enforcement Action List was reviewed.

Council Member Scharman presented the Mayor and Council with information for a tree maintenance/management plan that would include an inventory, a planting plan, an inspection/maintenance program, and requirements for tree protection and planting. She also presented some preliminary research on tree ordinances in Maryland. The Council concurred to have the tree board discuss this and provide their recommendation to the Council.

Council Member Scharman presented information for a park management plan that would include park descriptions, guidelines for usage, budget and planned improvements considerations, and maintenance/inspection schedules.

The monthly correspondence was reviewed.

The request for a waiver for the sign ordinance at 3750 University Boulevard was denied.

In response to a request to permit a freestanding sign in the historic district at 10412 Montgomery Avenue, the Mayor will have the owner contact HPC.

A resident requested the Town impose a moratorium on building permits that involve terrace credits. The Mayor will contact the Town attorney to determine if the Town has this authority.

The minutes from the October 28th Town meeting were reviewed.

The Council concurred to have the Town pay the employees social security/medicare taxes on crew tips received.

### **Council Actions**

Council Member Cowan moved to confirm the Mayor's appointment to the Town's Tree Board of Anne Elsbree for a two-year term. Council Member Carr seconded it and it passed unanimously.

Council Member Pfautz moved to approve a letter being sent to support a citizen's request that the County Code be amended to require dogs to be leashed after one incident of aggression. Council Member Cowan seconded it and it passed unanimously.

There being no further business, the meeting adjourned at 10:45 p.m.

### **Special Meeting of Mayor and Council with the Maryland State Highway Administration (SHA) concerning Connecticut Avenue issues**

November 18, 2002, 7:00 p.m.

The Mayor and Council met with the following SHA officials: Charlie Watkins, Glen Smith, Darrell Mobley, Lee Starkloff, and Glenn Cook.

SHA officials discussed Connecticut Avenue traffic concerns raised by the Council and feasibility of potential calming measures as outlined in the Kensington Concept plan. They explained that after researching the feasibility of a traffic roundabout at Plyers Mill and Metropolitan, it was decided that a circle at that location would cause long traffic queues in the afternoon which would defeat the purpose of a roundabout (which is to keep traffic moving). They stated that they have found accidents on Connecticut Avenue to be related to speed, wet weather, and rear end collisions at intersections. They are planning to skid test areas along Connecticut Avenue to see if the pavement has contributed to the wet weather accidents. Milling and overlay is planned for Connecticut Avenue from Everett to Knowles in the fall of 2003, which would be the time to consider any changes to lanes or sidewalks. They stated that in the interim signs could be moved

off the sidewalk on to private property and pavement markings could be widened to give a visual perception of traffic calming. SHA supported the Town's decision to hire a traffic consultant and will work with them and the Town. The meeting adjourned at 7:50 p.m.

## Town Meeting

November 18, 2002

Mayor Raufaste called the Meeting to order at 8:00 p.m. with Council Members Carr, Cowan, Pfautz, and Scharman, Public Works Director Joel, and Clerk-Treasurer Engels present. The Pledge of Allegiance was recited. A Moment of Silence was observed.

A public hearing was held for the request for a speed bump on Calvert Place. Residents explained that motorists do not stop at the stop sign at Calvert and Washington Streets and that they needed a speed bump to slow cars down so they will stop. After discussion as to whether a speed bump would accomplish this goal, the Council agreed to have a traffic engineer review this intersection to see what other traffic calming methods could be implemented instead. Other methods discussed were street narrowing, striping, or rumble strips.

A public hearing was held for parking restrictions on narrow streets. The Council concurred on the following:

Washington Street (west side of Connecticut Avenue) – The Council will review this street again and also have an engineering study done to determine the correct placement of a centerline.

Farragut Avenue – No changes; enforce the 12-inch parking restriction next to curb.

Perry Avenue – No changes; enforce current restrictions.

Dupont – No changes; follow snow emergency parking restrictions.

Warner Street - The Council will review this street again.

Frederick Avenue- Parking restricted on the east side of Frederick Avenue between Frederick Place and Kent Street.

Hadley Place – Parking restricted on the east side of Hadley Place and permit parking on the west side.

Outsourcing Trash was discussed. Ken Shumaker, President, and Bob Clark, Sales Manager, of Montgomery County Sanitation and Recycling, were present to give an overview of the company and answer questions. The Mayor and Council proposed outsourcing trash for a one-year trial period. This will be discussed further at the next work session and a public hearing will be held at the January Town meeting.

The Kensington Parkway sidewalk was discussed.

The Mayor and Council did not present monthly reports due to time constraints.

A resident expressed concerns over a dumpster screening that has not been done at the Sentient Building.

Council Member Carr drafted a letter to be sent to the Maryland Department of Transportation to provide input from the Kensington Concept Plan to the Maryland DOT's Draft 2003-2008 Consolidated Transportation Program. The Council concurred to send the letter.

Council Member Cowan presented the Council a draft Request for Proposal for the traffic study which will be discussed at the December Work Session.

### **Council Actions**

Council Member Cowan moved to delay a decision for fifteen days on the speed bump request for Calvert Place in order to obtain advice from the Town's civil engineer. Council Member Pfautz seconded it. The motion was then amended to state that the Council would seek a referral from the Town's civil engineer for a traffic engineer. The motion then passed unanimously with the Mayor concurring. Subsequently, the Council voted to postpone a decision until January 6<sup>th</sup> pending review and recommendation by a traffic engineer.

Council Member Pfautz moved to restrict parking on the east side of Frederick Avenue between Frederick Place and Kent Street. Council Member Carr seconded and the motion passed unanimously.

Council Member Cowan moved to restrict parking on the east side of Hadley Place and have permit parking on the west side of Hadley Place. Council Member Scharman seconded and the motion passed with a three to one vote. Council Member Carr opposed the motion.

Council Member Cowan moved to build a 4-foot wide sidewalk on the west side of Kensington Parkway from Washington Street to the Kensington Cabin Park per the engineer's plan with two curbs including the curb return and move \$20,000 out of surplus into the current sidewalk account. Council Member Pfautz seconded and the motion passed with a three to one vote. Council Member Carr abstained.

Council Member Carr moved to approve the minutes from the October 28 Town Meeting. Council Member Scharman seconded and the motion passed unanimously.

Council Member Scharman moved to approve the minutes from the November 4 Work Session as amended to add "She also presented some preliminary research on tree ordinances in Maryland." Council Member Pfautz seconded and the motion passed unanimously.

There being no further business, the meeting adjourned at 10:40 p.m.